

AMENDMENTS TO LB 5

Introduced by Stuthman, 22.

1 1. Strike the original sections and all amendments
2 thereto and insert the following new sections:

3 Section 1. Section 37-513, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 37-513 (1) It shall be unlawful to shoot at any wildlife
6 from any highway or roadway, which includes that area of land from
7 the center of the traveled surface to the right-of-way on either
8 side. Any person violating this subsection shall be guilty of a
9 Class III misdemeanor and shall be fined at least fifty dollars.

10 (2) (a) ~~It~~ Except as provided in subsection (2) of section
11 37-559, it shall be unlawful to trap any wildlife in the county
12 road right-of-way, except that the commission may allow trapping
13 of raptors within the county road right-of-way in accordance with
14 sections 37-497 to 37-4,103.

15 (b) For purposes of this subsection, county road
16 right-of-way means the area which has been designated a part of the
17 county road system and which has not been vacated pursuant to law.

18 Sec. 2. Section 37-559, Reissue Revised Statutes of
19 Nebraska, is amended to read:

20 37-559 (1) Any farmer or rancher owning or operating a
21 farm or ranch may destroy or have destroyed any predator preying on
22 livestock or poultry or causing other agricultural depredation on
23 land owned or controlled by him or her without a permit issued by

1 the commission.

2 (2) Notwithstanding subsection (2) of section 37-513,
3 a county may request permission from the commission to permit
4 trapping of wildlife in a designated area of the county road
5 right-of-way for reasonable wildlife management purposes as
6 determined by the commission and if the county board has reason to
7 believe that wildlife management is a concern in such area. The
8 commission shall require signs to be posted within the designated
9 area to provide notice of such traps.

10 ~~(2)~~ (3) This section shall not be construed to allow such
11 farmer or rancher any person to destroy or have destroyed species
12 which are protected by the provisions of sections 37-314 and 37-501
13 to 37-503, the Nongame and Endangered Species Conservation Act,
14 the federal Endangered Species Act, the federal Fish and Wildlife
15 Coordination Act, as amended, 16 U.S.C. 661 et seq., the federal
16 Bald and Golden Eagle Protection Act, as amended, 16 U.S.C. 668 et
17 seq., the federal Migratory Bird Treaty Act, as amended, 16 U.S.C.
18 703 et seq., or rules and regulations adopted and promulgated
19 pursuant to such provisions.

20 Sec. 3. Original sections 37-513 and 37-559, Reissue
21 Revised Statutes of Nebraska, are repealed.

22 Sec. 4. Since an emergency exists, this act takes effect
23 when passed and approved according to law.